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8 **Attorneys for Plaintiffs**  
9 **J & J Sports Productions, Inc.**

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **J & J Sports Productions, Inc.**

13 **Plaintiff,**

14 **vs.**

15 **Man Thi Doan, et al.**

16 **Defendant.**

17 **CASE NO. 5:08-cv-00324 RMW**

18 **PLAINTIFF'S *EX PARTE***  
19 **APPLICATION FOR AN ORDER**  
20 **CONTINUING CASE MANAGEMENT**  
21 **CONFERENCE; AND ORDER**  
22 **(Proposed) WITH CORRECTED**  
23 **PROOF OF SERVICE**

24 Plaintiff J & J Sports Productions, Inc., hereby applies *ex parte* for an order continuing the initial  
25 Case Management Conference in this action, presently set for Thursday, May 16, 2008 at 10:30 a.m. to a  
26 new date approximately thirty (30) to forty-five (45) days forward. This request is necessitated by the  
27 fact that Plaintiff has not yet perfected service of process as to either one of the defendants named to this  
28 action.

29 In addition, as of this writing, Plaintiff has yet to receive an answer or any other responsive  
30 pleading from the defendants. As a result, Plaintiff's counsel has not conferred with the defendants  
31 concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the case  
32 itself or the preparation of a Case Management Conference Statement.

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35 **PLAINTIFF'S *EX PARTE* APPLICATION FOR AN ORDER CONTINUING**  
36 **CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)**  
37 **WITH CORRECTED PROOF OF SERVICE**  
38 **CASE NO. 5:08-CV-00324 RMW**  
39 **PAGE 1**

1           **Wherefore**, Plaintiff respectfully requests that this Honorable Court continue the Case  
2 Management Conference presently scheduled for Thursday, May 16, 2008 to a new date approximately  
3 thirty (30) to forty-five (45) days forward in order that responsive pleadings may be filed by each of the  
4 defendants and Plaintiff's counsel may thereafter confer with the defendants and/or their counsel and  
5 thereafter prepare and file a joint Case Management Conference Statement for the Court's review.

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8           Respectfully submitted,

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Dated: May 9, 2008

12           /s/ Thomas P. Riley

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14           **LAW OFFICES OF THOMAS P. RILEY, P.C.**

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16           By: Thomas P. Riley

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18           Attorneys for Plaintiff

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20           J & J Sports Productions, Inc.

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**PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER CONTINUING  
CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)  
WITH CORRECTED PROOF OF SERVICE  
CASE NO. 5:08-CV-00324 RMW  
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## **ORDER (Proposed)**

It is hereby ordered that the Case Management Conference in civil action number 5:08-cv-00324 RMW styled *J& J Sports Productions, Inc. v. Man Thi Doan, et al.*, is hereby continued from 10:30 a.m., Thursday, May 16, 2008, to [REDACTED].

The Parties shall file a joint Case Management Statement in advance of the Case Management Conference pursuant to the Local Rules and the Standing Order of this Court.

Plaintiff shall also serve a copy of this Order on the Defendants and thereafter file a Certification of Service of this Order with the Clerk of the Court.

## IT IS SO ORDERED:

Dated:

**THE HONORABLE RONALD M. WHYTE**  
**United States District Court**  
**Northern District of California**

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**PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER CONTINUING  
CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)  
WITH CORRECTED PROOF OF SERVICE  
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**CORRECTED PROOF OF SERVICE (SERVICE BY MAIL)**

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is 1114 Fremont Avenue, South Pasadena, California 91030. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On, May 9, 2008, I served:

**PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER CONTINUING CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)**

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Man Thi Doan (Defendant)  
2367 Pleasant Acres Dr. #104  
San Jose, CA 95148

Van Man Nguyen (Defendant)  
2367 Pleasant Acres Dr. #104  
San Jose, CA 95148

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct, and that this declaration was executed on May 9, 2008, at South Pasadena, California.

Dated: May 9, 2008

/s/ Terry Houston  
**TERRY HOUSTON**